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December 18, 2022

Hon. Vernon S. Broderick  
U.S. District Court  
40 Foley Square  
New York, NY 10007

**APPLICATION GRANTED**

**SO ORDERED** 

**VERNON S. BRODERICK**

**U.S.D.J.** 12/19/2022

Re: *J.J.S. v. Plilar*, 19 Cv 2020 (VSB)(SN) {Habeas Petition}

Dear Judge Broderick:

We are counsel for July Justine Shelby, the Petitioner in the above referenced matter.

Please accept this letter in lieu of a formal motion in regard to the above referenced Habeas Petition (the "Petition").

The Petition asserts two Claims. The first Claim is premised upon the refusal of the BOP to provide Ms. Shelby with gender affirming surgery (the "GAS Claim"). The second Claim was premised upon the refusal of the BOP to transfer Ms. Shelby to a woman's prison (the "Transfer Claim"). The Transfer Claim was addressed in the R&R (ECF Doc. 74) and granted by an Order issued by this Court (ECF Doc. 86). However, the R&R and the Order do not address the GAS Claim. As such, this Claim remains open.

Ms. Shelby was recently transferred to a women's prison. In order to allow her have time to adjust to being in a woman's prison, I respectfully request the Court stay the adjudication of the GAS Claim for six months. I propose that, six months from the date of this letter, the parties send a joint letter to the Court indicating how they seek to proceed at that time.

Prior to submission with of this letter, I conferred with Government, who are counsel for the Respondent, and they consent to this request.

Respectfully submitted,

/s/

Jeffrey G. Pittell

cc: Dana Walsh Kumar, AUSA  
Lucas Issacharoff, AUSA  
July Justine Shelby